



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING  
CITY HALL  
TUESDAY, MARCH 18, 2014  
6:00 O'CLOCK P.M.**

**I. Meeting Called to Order**

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

**II. Unfinished Business Requiring Council Action**

- A. Second Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "CD" (COMMERCIAL: DOWNTOWN CENTER) TO "CDc" (COMMERCIAL: DOWNTOWN CENTER WITH COMMITMENTS)." Jeff Bergman

**III. New Business Requiring Council Action**

- A. Reading of a Resolution entitled "RESOLUTION NO.\_\_\_\_, 2014, A RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Gateway Apartments, L.P.) Clark Greiner and Carl Malysz
- B. First Reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2014, AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY." (Jackson/Brown Streets Alley Vacation) Jeff Bergman

#### **IV. Other Business**

- A. Standing Committee and Liaison Reports
- B. Discussion Item: Additional Appropriation – Road Overlay
- C. Next regular meeting is scheduled for **Tuesday, April 1, 2014 at 6:00 P.M. in City Hall.**
- D. Adjournment



## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Jeff Bergman, AICP  
on behalf of the Columbus Plan Commission

**DATE:** February 24, 2014

**RE:** RZ-14-02 (*City of Columbus / Historic Power House Rezoning*)

At its February 12, 2014 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

The City of Columbus, represented by Redevelopment Director Heather Pope, has requested that the zoning designation of the property formerly occupied by the City power house and the Bartholomew County Senior Center (located at 148 Lindsey Street) be amended to include a commitment limiting the future use of the property. The proposal would change the zoning on the property from CD (Commercial: Downtown Center) to CDc (Commercial: Downtown Center with commitments). The proposed list of limited uses is provided in the attached ordinance rezoning the property and further described by the attached Planning Department staff report.

No adjoining property owners spoke at the Plan Commission meeting or submitted letters to the Commission on this matter.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Planning Department staff report, and
4. a location map.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM "CD" (COMMERCIAL: DOWNTOWN CENTER)  
TO "CDc" (COMMERCIAL: DOWNTOWN CENTER WITH COMMITMENTS)**

**To be known as the: City of Columbus / Historic Power House Rezoning  
Plan Commission Case No.: RZ-14-02**

**WHEREAS**, this rezoning was requested by the City of Columbus and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on February 12, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "CD" (Commercial: Downtown Center) to "CDc" (Commercial: Downtown Center with commitments):

*Lot 1 in "Pumphouse Vacation" as recorded in Plat Book "R", Page 272C in the office of the Recorder of Bartholomew County, Indiana.*

**SECTION 2: Commitment(s)**

The use and development of the subject property shall be subject to the following commitment: The use of the property shall be limited to the following uses, as defined by the Columbus Zoning Ordinance in effect on February 12, 2014:

- a) museum;
- b) farmer's market;
- c) health spa;
- d) liquor store;
- e) recreation uses (small scale) - billiard room/arcade, night club/bar, microbrewery/brew-pub, fitness center;
- f) recreation uses (medium scale) - bowling alley, theater (indoor), banquet or assembly facility, mini-golf course, shooting / archery range (indoor), skating rink/swimming pool,
- g) restaurant;
- h) retail uses (small scale) - video/music store, art or photo gallery, bakery (retail), flower shop, gift shop, news dealer/bookstore, stationary shop, ice cream shop, convenience store (without gas station), jewelry store, antique shop, meat market, apparel/footwear store; and
- i) retail uses (medium scale) - craft/fabric store, sporting goods store, pharmacy, grocery store, garden shop, variety store, auto parts sales (without on-site repair), building finishes shop (paint,

carpet, wallpaper, etc.), pet store, repair services (small appliances, jewelry, alterations, etc.), department store, hardware store, home electronics/appliance store, office supply store.

### **SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

### **SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

### **SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

### **ATTEST:**

\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014 at \_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana

**RESOLUTION: RZ-14-02**

**of the City of Columbus, Indiana Plan Commission**

regarding

**Case number RZ-14-02**

**(City of Columbus / Historic Power House Rezoning),**

**a proposal to rezone +/-1.94 acres from**

**CD (Commercial: Downtown Center) to**

**CDc (Commercial: Downtown Center with commitments)**

**WHEREAS**, the Plan Commission has received the application referenced above from the City of Columbus; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on February 12, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 1.94 acres located on the west side of Lindsey Street, between 2<sup>nd</sup> and 3<sup>rd</sup> Streets) is forwarded to the Common Council with a favorable recommendation. That recommendation includes the following commitment: The use of the property shall be limited to the following uses, as defined by the Columbus Zoning Ordinance in effect on February 12, 2014:
  - a) museum;
  - b) farmer's market;
  - c) health spa;
  - d) liquor store;
  - e) recreation uses (small scale) - billiard room/arcade, night club/bar, microbrewery/brew-pub, fitness center;
  - f) recreation uses (medium scale) - bowling alley, theater (indoor), banquet or assembly facility, mini-golf course, shooting / archery range (indoor), skating rink/swimming pool,
  - g) restaurant;
  - h) retail uses (small scale) - video/music store, art or photo gallery, bakery (retail), flower shop, gift shop, news dealer/bookstore, stationary shop, ice cream shop, convenience store (without gas station), jewelry store, antique shop, meat market, apparel/footwear store; and
  - i) retail uses (medium scale) - craft/fabric store, sporting goods store, pharmacy, grocery store, garden shop, variety store, auto parts sales (without on-site repair), building finishes shop (paint, carpet, wallpaper, etc.), pet store, repair services (small appliances,

jewelry, alterations, etc.), department store, hardware store, home electronics/appliance store, office supply store.

- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 12<sup>th</sup> DAY OF, FEBRUARY 2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.**

Signed copy on file in the Planning Department  
Roger Lang, President

**ATTEST:**

Signed copy on file in the Planning Department  
David L. Fisher, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (February 12, 2014 Meeting)

**Docket No. / Project Title:** RZ-14-02 (City of Columbus/Historic Power House)  
**Staff:** Allie Keen  
**Applicant:** City of Columbus  
**Property Size:** 1.94 Acres  
**Current Zoning:** CD (Commercial: Downtown)  
**Proposed Zoning:** CDc (Commercial: Downtown with Conditions)  
**Location:** 148 Lindsey Street, in the City of Columbus

#### Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of limiting the types of uses that would be permitted on the subject property. The proposed permitted uses would include only the following: museum, farmer's market, health spa, liquor store, recreation uses (small-scale), recreation uses (medium-scale), restaurant, retail uses (small-scale), and retail uses (medium-scale). The applicant has indicated that the conditional rezoning will ensure that the future use of the property contributes to the Strategic Downtown Plan to make the core downtown a civic and entertainment destination.

#### Preliminary Staff Recommendation:

Favorable recommendation to City Council.

#### Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

#### Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

##### The Comprehensive Plan.

*Preliminary Staff Comments:* The Comprehensive Plan identifies this area to be located within the Downtown Columbus character area. This area is generally mixed-use. Further, the Comprehensive Plan encourages infill development and establishment of retail, entertainment, and restaurants within the Downtown area. The subject property is also located adjacent to the Civic and Entertainment District, identified in the Downtown Columbus Strategic Plan. This district is intended to provide entertainment, arts, and dining destinations that would serve both residents and visitors of Columbus.

**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* The structure on site is the former Columbus Power House which was built in 1901 and designed by architect Harrison Albright. The property also has a parking lot and some wooded areas onsite. The railroad runs along the east side of the property and the East Fork of the White River runs along the western side of the property. Also, the site is within walking distance to the core downtown area of Columbus and provides a unique opportunity for infill and reuse of an existing structure.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The property is located within walking distance of the downtown area and is located along the East Fork of the White River, which creates an attractive location for possible commercial uses within the existing structure. Further, the Downtown Columbus Strategic Plan identifies the reuse of this property as a unique dining and entertainment experience.

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The subject property offers various assets which include its close proximity to downtown, as well as its location along the East Fork of the White River. The property contains a historical asset to the City of Columbus. Additionally, the property is located within a site development plan zoning district, which requires Plan Commission approval and review for any major site modifications.

**Responsible growth and development.**

*Preliminary Staff Comments:* The proposed rezoning will promote infill development of a vacant structure which compliments other adjacent properties within the downtown area. The property also has a desirable location for commercial development.

Current Property Information:	
Land Use:	Vacant
Site Features:	Vacant building, parking lot, and landscaping.
Flood Hazards:	The southwestern portion of the site is located within the floodway. The existing structure is not located within the floodway.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstance areas are present on the subject property.
Vehicle Access:	This property gains access from Lindsey Street (Local, Commercial, Urban).

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	P (Public/Semi-Public Facilities) CD (Commercial: Downtown)	Mill Race Park First Financial Bank
South:	AP (Agriculture: Preferred)	East Fork of the White River

<b>East:</b>	P (Public/Semi-Public Facilities) CD (Commercial: Downtown)	Railroad Future St. Francis Medical Offices
<b>West:</b>	AP (Agriculture: Preferred)	East Fork of White River

<b>Zoning District Summary (Existing / Proposed)</b>		
	<b>Existing Zoning: CD</b>	<b>Proposed Zoning: CDc</b>
<b>Permitted Uses:</b>	<p><b>Residential Uses:</b></p> <ul style="list-style-type: none"> <li>• Bed and breakfast facility</li> <li>• Dwellings, secondary</li> </ul> <p><b>Public/Semi-Public Uses:</b></p> <ul style="list-style-type: none"> <li>• Clinic</li> <li>• Day-care center (adult or child)</li> <li>• Funeral home</li> <li>• Government office</li> <li>• Library</li> <li>• Museum</li> <li>• Parking Lot/Garage (as primary use)</li> <li>• Police, fire, or rescue station</li> <li>• Post office</li> <li>• Trade or business school</li> </ul> <p><b>Park Uses:</b></p> <ul style="list-style-type: none"> <li>• Nature preserve/conservation area</li> <li>• Park/playground</li> </ul> <p><b>Commercial Uses:</b></p> <ul style="list-style-type: none"> <li>• Conference center</li> <li>• Data processing/call center</li> <li>• Farmer's market</li> <li>• Health spa</li> <li>• Hotel/motel</li> <li>• Instructional center</li> <li>• Liquor store</li> <li>• Office uses</li> <li>• Personal service uses</li> <li>• Recreation uses (small scale)</li> <li>• Recreation uses (medium-scale)</li> <li>• Restaurant</li> <li>• Retail uses (small scale)</li> <li>• Retail uses (medium scale)</li> </ul>	<p><b>Public/Semi-Public Uses</b></p> <ul style="list-style-type: none"> <li>• Museum</li> </ul> <p><b>Commercial Uses:</b></p> <ul style="list-style-type: none"> <li>• Farmer's market</li> <li>• Health spa</li> <li>• Liquor store</li> <li>• Recreation uses (small scale)</li> <li>• Recreation uses (medium scale)</li> <li>• Restaurant</li> <li>• Retail uses (small scale)</li> <li>• Retail uses (medium scale)</li> </ul>

<b>Conditional Uses:</b>	<b>Residential Uses:</b> <ul style="list-style-type: none"> <li>• Dwellings, multi-family</li> <li>• Dwellings, single-family</li> <li>• Dwellings, two-family</li> <li>• Retirement facility</li> <li>• Shared housing facility</li> </ul> <b>Communications/Utilities Uses:</b> <ul style="list-style-type: none"> <li>• Sewage treatment plant</li> <li>• Utility substation</li> <li>• Water tower</li> </ul> <b>Public/Semi-Public Uses:</b> <ul style="list-style-type: none"> <li>• Community center</li> <li>• Correctional facility</li> <li>• Hospital</li> <li>• Private club</li> <li>• School (grades pre-school through 12)</li> <li>• Transportation terminal</li> <li>• University or college</li> <li>• Worship facility</li> </ul> <b>Park Uses:</b> <ul style="list-style-type: none"> <li>• Amphitheater/outdoor venue</li> <li>• Athletic complex</li> </ul> <b>Commercial Uses:</b> <ul style="list-style-type: none"> <li>• Agricultural supply facility</li> <li>• Auto-oriented uses (small scale)</li> <li>• Auto rental (includes truck, RV, etc.)</li> <li>• Retreat center</li> </ul> <b>Industrial Uses:</b> <ul style="list-style-type: none"> <li>• Agricultural products terminal</li> <li>• Light industrial assembly and distribution</li> <li>• Research and development facility</li> <li>• Wholesale facility</li> </ul>	There will be no conditional uses with the proposed rezoning.
<b>Water and Sewer Service:</b>	Required	
<b>Lot and/or Density Requirements:</b>	<b>Minimum Lot Size:</b> 3,000 square feet  <b>Minimum Lot Width:</b> 20 feet  <b>Minimum Lot Frontage:</b> 20 feet  <b>Maximum Lot Coverage:</b>	

	100%
<b>Setbacks Required:</b> Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	<b>Side Yard Setback:</b> 0 feet <b>Rear Yard Setback:</b> 0 feet <b>Front Yard Setback/Build-to Line:</b> 0 feet
<b>Height Restrictions:</b>	<b>Primary Structure:</b> 125 feet <b>Accessory Structure:</b> 35 feet
<b>Floor Area Requirements:</b>	<b>Min. Living Area per Dwelling:</b> Single-Family: 1,000 square feet Two-Family: 1,000 square feet Secondary: 500 square feet Multi-Family: 500 square feet
<b>Signs:</b>	<b>Wall Signs:</b> 1 sign per road frontage per use with a maximum total sign area equal to 8% of the structures front wall(s) or 200 square feet, whichever is less <b>Freestanding Signs:</b> *1 per frontage per lot 50 square feet maximum 6 foot maximum height *Only permitted on lots which (a) exceeds 2 acres in area and (b) includes a primary structure that has a minimum front setback of 20 feet. This provision applies separately to each public street frontage for lots meeting the minimum size requirement, provided that the freestanding sign shall be placed on the qualifying frontage. <b>Window Signs:</b> Maximum total sign area equal to 15% or 20 square feet, whichever is less

<b>Interdepartmental Review:</b>	
<b>Parks Department:</b>	No comments have been received at this time.
<b>Code Enforcement:</b>	No comments have been received at this time.

**History of this Location:**

The relevant history of this property includes the following:

1. The existing building was constructed in 1901 as a water plant for the City of Columbus and in 1965 the building was converted into the Bartholomew County Senior Center.
2. Prior to the Zoning Ordinances revisions in 2008, the property was zoned Special Use (SU-11). The SU-11 zoning district was for public buildings and uses. Once the new Zoning Ordinance took effect, the property was zoned P (Public/Semi-Public Facilities).
3. In November of 2011, the Columbus City Council approved rezoning (RZ-11-04) the subject property from the P (Public/Semi-Public Facilities) to the CD (Commercial: Downtown).

**Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Floodway/Sensitive Area. The property is also adjacent to the downtown area.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. GOAL A-2: Preserve and enhance the character of the community.
2. GOAL A-4: Promote wise and efficient use of limited resources and nonrenewable resource, including but not limited to capital and land.
3. POLICY A-4-2: Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
4. POLICY A-3: Prevent urban sprawl.
5. POLICY E-1-2: Encourage retail, entertainment, restaurant, and similar uses which add to the vitality of the downtown, with emphasis on after-hours and weekend activities.

This property is located in the Downtown Columbus character area. The following Planning Principle(s) apply to this application:

1. New development or redevelopment should enhance the positive qualities of downtown. A healthy land-use mix should be retained, including a variety of retail, office, financial, professional, and institutional uses. Suburban-type uses such as big-box retail stores should not be permitted.
2. Retail and restaurant uses should be encouraged in the downtown but not to the exclusion of existing office, professional, financial, and institutional uses.

The Downtown Columbus Strategic Plan identifies this property as being located in the downtown support Green Belt district; however this property is also immediately adjacent to the Civic and Entertainment district.

The following Downtown Columbus Strategic Development Plan goals apply to this application:

1. Enhance Columbus' regional appeal by directing appropriate development towards Downtown.
  - Attract arts, cultural, and learning activities to Downtown.
  - Establish cooperative land use planning strategies that promote sound growth principles.
  - Identify, document, and promote key catalyst properties with strategic development potential.
2. Pursue "vibrant urbanity" by converging markets (live, work, play, and shop) to shape downtown into an engaging streetscape experience that encourages repeat visits by residents and visitors.
  - Establish an interactive 24/7 multi-use arts, entertainment, and dining district.
  - Focus on lifestyle retail in a walkable district serving key niche markets.
  - Provide enough choice to encourage return visits by residents and tourists.
  - Activate the western and southern zones of Downtown.

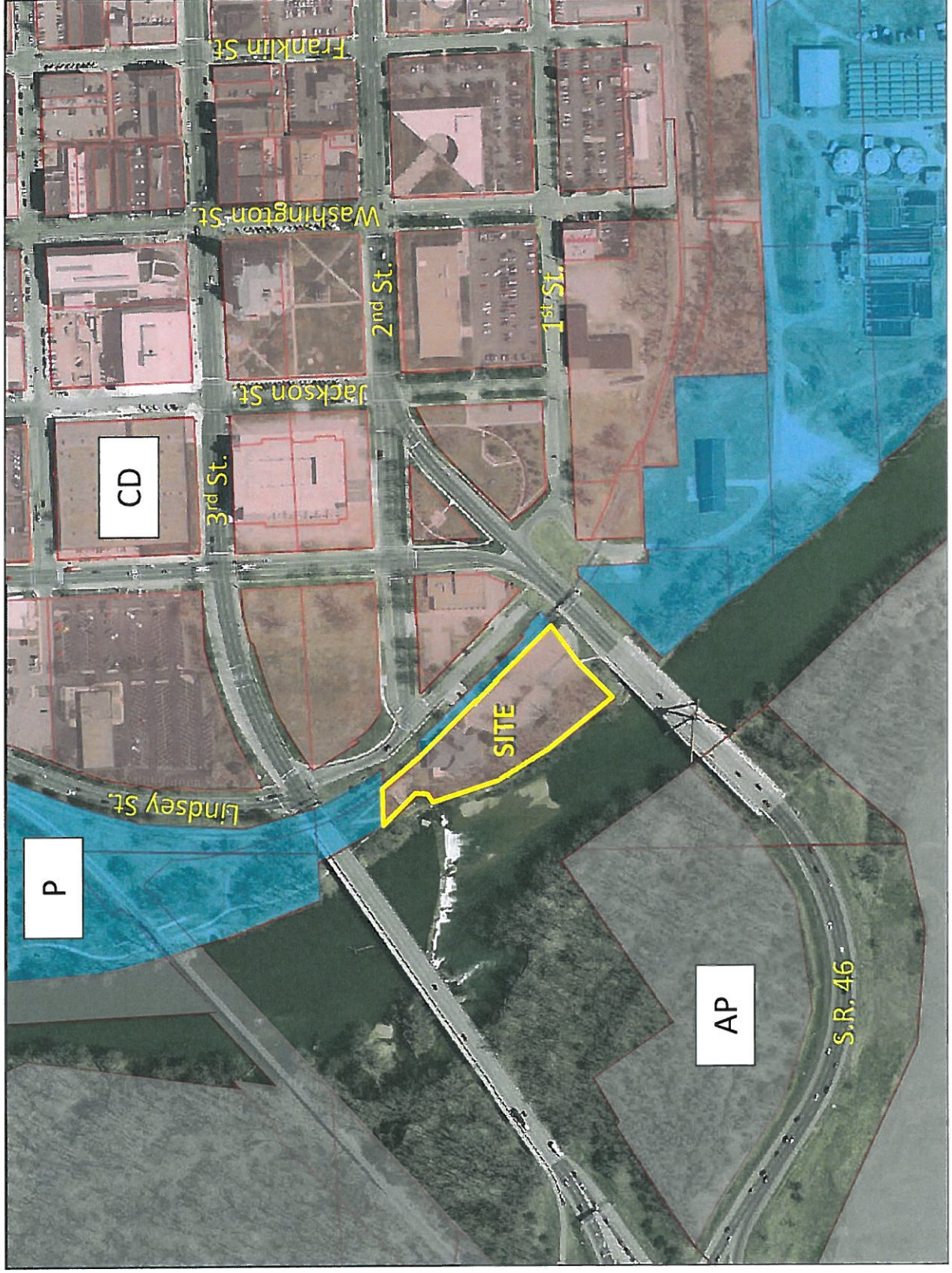
**Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The property was originally developed in 1901 as a water house for the City of Columbus. The property was later converted into the Bartholomew County Senior Center in 1965. The property still features the original structure as well as a parking lot. The western portion of the lot is a wooded area that features the eastern bank of the East Fork of the White River. In addition, this property is the only downtown commercial property that is located along the East Fork of the White River, which provides a unique opportunity to revitalize the property to draw both local and regional visitors.

2. The intent of the CD (Commercial: Downtown) zoning district is as follows: To serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is further intended to support the continued use of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.
3. The property has frontage along Lindsey Street (Local, Commercial, Urban). The Lindsey Street access point crosses a railroad, which is owned by the Louisville and Indiana Railroad Company.
4. The Downtown Columbus Strategic Plan identifies this property as being located in the downtown support Green Belt district. However, the property is immediately adjacent to the Civic and Entertainment district which is described as an entertainment and governmental services destination that serves both residents and visitors of Columbus. The subject property offers the unique opportunity for infill development by reutilizing the existing structure on site. Additionally, the property is within walking distance to downtown, including the more active 4<sup>th</sup> and Washington Streets where several retail, dining, and entertainment uses exist. The Civic and Entertainment district encourages uses that include: entertainment, recreation, retail, dining, and arts.
5. The CD (Commercial: Downtown) zoning district is a site development plan zoning district which requires any significant site feature modifications to be reviewed and approved by the Plan Commission. Minor modifications such as changes of use and minimal site feature modifications may be approved administratively by the Planning Department.

# Property Location & Surrounding Zoning



## MEMORANDUM

TO: Members of the Common Council  
FROM: Carl Malysz and Clark Greiner, Community Development  
RE: Tax Abatement Request for Gateway Apartments, L.P.  
DATE: March 11, 2014

The following tax abatement request will be presented to Council at its Tuesday, March 18, 2014, meeting at 6:00 p.m.:

**Gateway Apartments, L.P.** is requesting tax abatement on **real property** for the development of a 60 unit townhouse complex for low to moderate income citizens. This project will be built on a 4.5 AC tract which makes up the Eastern most portion of the former Golden Castings and Foundry site located at 1616 10<sup>th</sup> Street, Columbus, Indiana.

**Housing Partnerships, Inc.**, d/b/a **Thrive Alliance**, Mark Lindenlaub, Executive Director, is the non-profit sponsor and co-owner for Gateway Apartments, L.P.

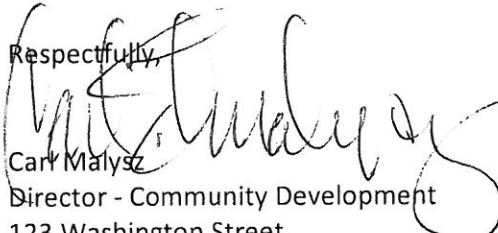
**Gateway Apartments, L.P.**, is a private developer/investor that specializes in the development and/or redevelopment of low to moderate income housing complexes that utilize Rental Housing Tax Credits (RHTC). Gateway Apartments, L.P., is planning to invest \$ in real property improvements. The site targeted for redevelopment is located in a previously designated Economic Revitalization Area.

As a result of this new expansion, **Gateway Apartments, L.P.** will create 125 construction jobs and 3 permanent fulltime jobs by the end of October, 2015.

**Gateway Apartments, L.P.** is requesting a custom 10 year abatement schedule as authorized by IC 6-1.1-12.1-17, due to extraordinary development cost related to Brownfield remediation and programmatic changes in the Rental Housing Tax Credit Program. (Refer to attached memorandum, authored by Carl Malysz, which explains these extraordinary development costs).

Should you have any questions, please contact me at the Community Development Office at (812) 376-2520.

Respectfully,



Carl Malysz  
Director - Community Development  
123 Washington Street  
Columbus, IN 47201  
(812) 376-2520  
[cgreiner@columbus.in.gov](mailto:cgreiner@columbus.in.gov)

## *Gateway Apartments L.P.*

549 E. Washington Street • Chagrin Falls, OH 44022 • (440) 247-3900

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March 10, 2014

The Honorable Kristen S. Brown  
Mayor City of Columbus  
123 Washington Street  
Columbus, IN 47201

**Re: Tax Abatement For Real Property Only**  
**Property Owner: Gateway Apartments L.P. (Equitable Interest)**  
**Proposed Project: Gateway Apartments**

Dear Mayor Brown:

Gateway Apartments L.P. is planning to construct a new multifamily apartment community at 1616 10<sup>th</sup> Street, if tax abatement is granted to Gateway Apartments L.P. Plans include an investment of \$ \_\_\_\_\_ in the proposed Gateway Apartments development.

The development of the Gateway Apartments project is slated for a vacant site on a portion of the former Golden Casting Foundry site which is vacant with no employment at the present time. As a result of the Gateway Apartments project, three (3) new permanent jobs will be created and approximately one hundred twenty-five construction jobs will be created in connection with the development and construction of the proposed Gateway Apartments.

Gateway Apartments L.P. is requesting tax abatement on the building improvements. The site at which we plan to develop and construct Gateway Apartments is located in a previously designated economic revitalization area and is a designated Brownfield by the Indiana Department of Environmental Management. Attached hereto are: Application For Tax Abatement, Agreement of Cooperation and Statement of Benefits form (SB-1).

I respectfully request that you place this request on Council Agenda at the earliest convenient date. If you have any questions, please call the undersigned at (440) 247-3900.

Very Truly Yours,



Timothy M. Morgan  
Developer

Enclosures

Cc: Clark Greiner, Business Development and Planning Coordinator  
Jeffrey L. Logston, City Attorney

## AGREEMENT of COOPERATION

We, the undersigned, agree to participate and cooperate with the City of Columbus, Indiana and/or its designated agencies and the Common Council of the City of Columbus for purposes of an annual review, required by Indiana Law as it relates to economic revitalization area or economic development target area designation and tax abatement issues.

Jonesboro Investments Corp.

(Company Name)

DATE: March 10, 2014

Timothy M. Morgan  
Timothy M. Morgan, President

\_\_\_\_\_, Secretary

STATE OF OHIO  
COUNTY OF BERKSHIRE

SS:

Before me, a Notary Public, in and for said County and State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, the President and Secretary respectively of Jonesboro Investments Corp. who acknowledged execution of the foregoing Agreement for and on behalf of \_\_\_\_\_ and who, having been duly sworn, stated that the representations therein contained are true,

Witness my hand and Notarial Seal on this, the 10<sup>th</sup> day of, March, 2014

My Commission Expires:

July 25, 2016

Subhadra Pochiraju  
Signature: Notary Public

SUBHADRA POCHIRAJU  
(Printed)

County of Residence:

SUBHADRA POCHIRAJU  
Notary Public, State of Ohio  
My Commission Expires July 25, 2016

**CITY OF COLUMBUS, INDIANA**  
**APPLICATION FOR TAX ABATEMENT**  
Within a Previously Designated Economic Revitalization Area

1. Name of titled landowner. *KCH National, LLC*
2. Name of taxpayer seeking tax abatement. *Gateway Apartments L.P.*
3. Has above-named taxpayer previously received tax abatement from the City of Columbus? *NO*
  - a. If yes, list date(s)
  - b. If company has received tax abatement since July 1, 1991, have CF-i reports been filed annually?
  - c. According to current CF-i report(s), is your company in full compliance with your existing abatement(s)?  
If your answer to the above question is 'no', please contact the Department of Community Development at (812) 376-2520 to schedule an appointment with the Columbus Common Council Incentive Review Committee.
4.
  - a. Legal description of titled property (attach if necessary) *see Attached*
  - b. Is real property (or location where the new manufacturing equipment or new research and development equipment will be installed) in an economic revitalization area? *Yes*
5. Commonly know address of property. *1616 10th Street*
6. Are all taxes current and paid with regard to said titled property? *Yes*
7. Attach completed statement of benefits form. (Exhibit A) *see Attached*
8. Attach executed agreement that applicant will participate and cooperate with the City of Columbus and/or its designated agencies and the Common Council of the City of Columbus, Indiana, for purposes of an annual review, required by State Statute. (Exhibit B) *complete*
9. If business organization is publicly held, give name of corporate parent and name under which the corporation is filed with the Securities Exchange Commission.  
*N/A*
10. What is the current assessed valuation of the real property (before rehabilitation, redevelopment, economic revitalization, or improvement); or the current assessed valuation of the tangible personal property to be replaced by new manufacturing equipment or research and development equipment?

11. List the real and personal property taxes paid at the location during the previous five (5) years, whether paid by current owner or previous owner.

<u>Year</u>	<u>Real Property</u>	<u>Personal Property</u>

12. Describe the proposed project (rehabilitation, new construction, or installation of new manufacturing equipment or research and development equipment). Include information about physical improvements to be made or the new manufacturing equipment to be installed, an estimate of the cost of the project, the amount of land to be used, the proposed use of the improvements, and a general statement as to the value of the project to the business. *Development and construction of a 60 unit multi-family project*
13. Estimate of the number of full and part-time permanent jobs at the location and the impact on those (current) jobs to be caused by the project. *Approximately 125 new construction jobs and 3 permanent full time positions.*
14. Number of current full and part-time permanent jobs at the location and the impact on those (current) jobs to be caused by the project. *zero*
15. Projected annual salaries for positions to be created. If more than one salary classification, please list the job titles and hourly wage for each. Use attachment if necessary. *on-site manager (\$ >), leasing manager (\$ >), and maintenance (\$ >).*
16. What is your company's starting hourly wage? Does your company provide medical insurance? *(Yes) No*  
What is dollar value (per hour) of benefit package? *TBD*
17. Has building permit been issued for construction of the real property for the improvement proposed? *no*
18. Has new manufacturing equipment or research and development equipment been purchased, leased, or installed? *no*
19. List model numbers or attach purchase orders of the new manufacturing equipment or research and development equipment to be purchased (if available). *no*

20. Name, address and telephone number of person to contact regarding notice of Council meetings and meetings concerning the petition.

Name Timothy M. Morgan/Mark Lindenberg

Address

Housing Partnerships, Inc.

1531 13th Street, Suite 6900

Columbus, IN 47201-1302

Phone (812) 372-6918 Fax (812) 372-3846

e-mail MLindenberg@hrisc-alliance.org

I affirm under the penalties of perjury that the above and foregoing information is true and correct.

(Signed) Timothy M. Morgan

(Printed) Timothy M. Morgan

(Title) Developer - Gateway Apartments

Date March 10, 2014

**EXHIBIT "A"**

Lot Numbered 1 in Golden Casting Administrative Subdivision in the City of Columbus,  
Bartholomew County, Indiana, as per plat thereof recorded in February 4, 2009 in Plat Book "R",  
Page 197C as Instrument No. 2009-1451 in the Office of the Recorder of Bartholomew County,  
Indiana.

# GOLDEN CASTING ADMINISTRATIVE SUBDIVISION

A PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH,  
RANGE 6 EAST, SITUATED IN COLUMBUS TOWNSHIP, BARTHOLOMEW COUNTY, INDIANA  
SHEET TWO OF TWO

## OWNERS' CERTIFICATE

I, THE UNDERSIGNED, MATT ELLEGOOD FOR KLM NATIONAL, LLC, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT I HAVE LAID OFF AND SUBDIVIDED, AND DO HEREBY LAY OFF AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN DRAWING.  
THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "GOLDEN CASTING ADMINISTRATIVE SUBDIVISION" CONSISTING OF 4 LOTS IDENTIFIED HEREON AS "LOTS 1-4"; CONTAINING IN ALL 12.88 ACRES.

CLEAR TITLE TO THE LAND CONTAINED IN THIS SUBDIVISION IS GUARANTEED.

ALL PUBLIC STREETS AND ALLEYS SHOWN NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. OTHER PUBLIC LANDS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY RESERVED FOR PUBLIC USE.

THE SETBACK LINES SHALL BE DETERMINED BY THE REGULATIONS OF THE COLUMBUS, INDIANA ZONING ORDINANCE OF CURRENT ADOPTION.

THERE ARE STRIPS OF GROUND SHOWN ON THIS DRAWING AND MARKED EASEMENT RESERVED FOR THE USE OF PUBLIC UTILITIES AND SUBJECT TO THE PARAMOUNT RIGHT OF THE UTILITY OR CITY TO INSTALL, REPAIR, MAINTAIN OR REPLACE ITS INSTALLATIONS.

THERE ARE PRIVATE ACCESS EASEMENTS SHOWN ON THIS DRAWING AND MARKED ACCORDINGLY. THESE ARE INTENDED TO BE PRIVATE IN PERPETUITY, AND THERE IS NO OBLIGATION FOR ANY GOVERNMENT ENTITY TO ASSUME ANY RESPONSIBILITY FOR THESE EASEMENTS, NOW OR AT ANY FUTURE TIME. THE RESPONSIBILITY FOR MAINTENANCE AND SNOW REMOVAL ON THE ACCESS EASEMENTS SHOWN ON THIS DRAWING IS ASSUMED BY THE PROPERTY OWNERS OF LOTS 1, 2, AND ADJOINERS, RESPECTIVELY, AND NOT BY THE CITY.

ALL ALLEYS AND RIGHTS OF WAY ON SUBJECT REAL ESTATE VACATED PER CAUSE #11371; #17214; AND #19429 RECORDED IN DRB 137, PAGE 145 AND DRB 259, PAGE 97.

LOTS 1-8, 15-25, 54-73, 145, AND BLOCK A OF "DRAKE'S MAPLE GROVE ADDITION" RECORDED IN PLAT BOOK "C", PAGE 9 ARE HEREBY VACATED BY THIS DRAWING.

WITNESS MY HAND AND SEAL THIS 15<sup>TH</sup> DAY OF August 2008.

KLJ NATIONAL, LLC

*Scott M. Ellegood*  
SCOTT M. ELLEGOOD

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED SCOTT M. ELLEGOOD, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS 15<sup>TH</sup> DAY OF August 2008.

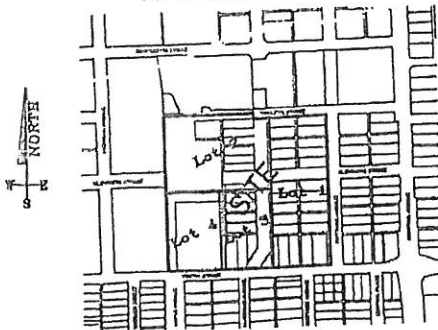
*Eric L. Sanders*  
NOTARY PUBLIC

*Benning*  
COUNTY OF RESIDENCE

*May 22, 2007*  
MY COMMISSION EXPIRES



SITE LOCATION MAP  
NOT TO SCALE



## PROPERTY DESCRIPTION

### PARCEL 1

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 6 EAST, LYING IN THE CITY OF COLUMBUS, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT A FOUND 1 INCH AXLE ROD MARKING THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 90° EAST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER 1108.50 FEET TO A POINT IN THE CENTERLINE OF TENTH STREET; THENCE NORTH 00°-10'-23" WEST PARALLEL TO THE NORTH-SOUTH CENTERLINE OF THE AFORESAID NORTHWEST QUARTER 25.00 FEET TO THE POINT OF INTERSECTION OF THE NORTH LINE OF TENTH STREET WITH THE WEST LINE OF THE AFORESAID RAILROAD PROPERTY AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°-10'-23" WEST ALONG SAID RAILROAD RIGHT OF WAY LINE AND THE EAST LINE OF PROPERTY DESCRIBED IN DEED RECORD 70, PAGES 591-592 IN SAID RECORDERS OFFICE 470.75 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF ELEVENTH STREET AS SHOWN ON THE PLAT OF RUDDICK PLACE ADDITION, PLAT BOOK "D", PAGE 84, IF EXTENDED EASTERLY TO SA RAILROAD; THENCE NORTH 90° EAST 20.00 FEET TO THE EAST LINE OF SAID RAILROAD; THENCE SOUTH 00°-10'-23" EAST ALONG SAID EAST LINE 470.75 FEET TO THE NORTH LINE OF TENTH STREET; THENCE SOUTH 90° WEST ALONG SAID NORTH LINE 20.00 FEET TO THE TRUE POINT OF BEGINNING.

### ALSO:

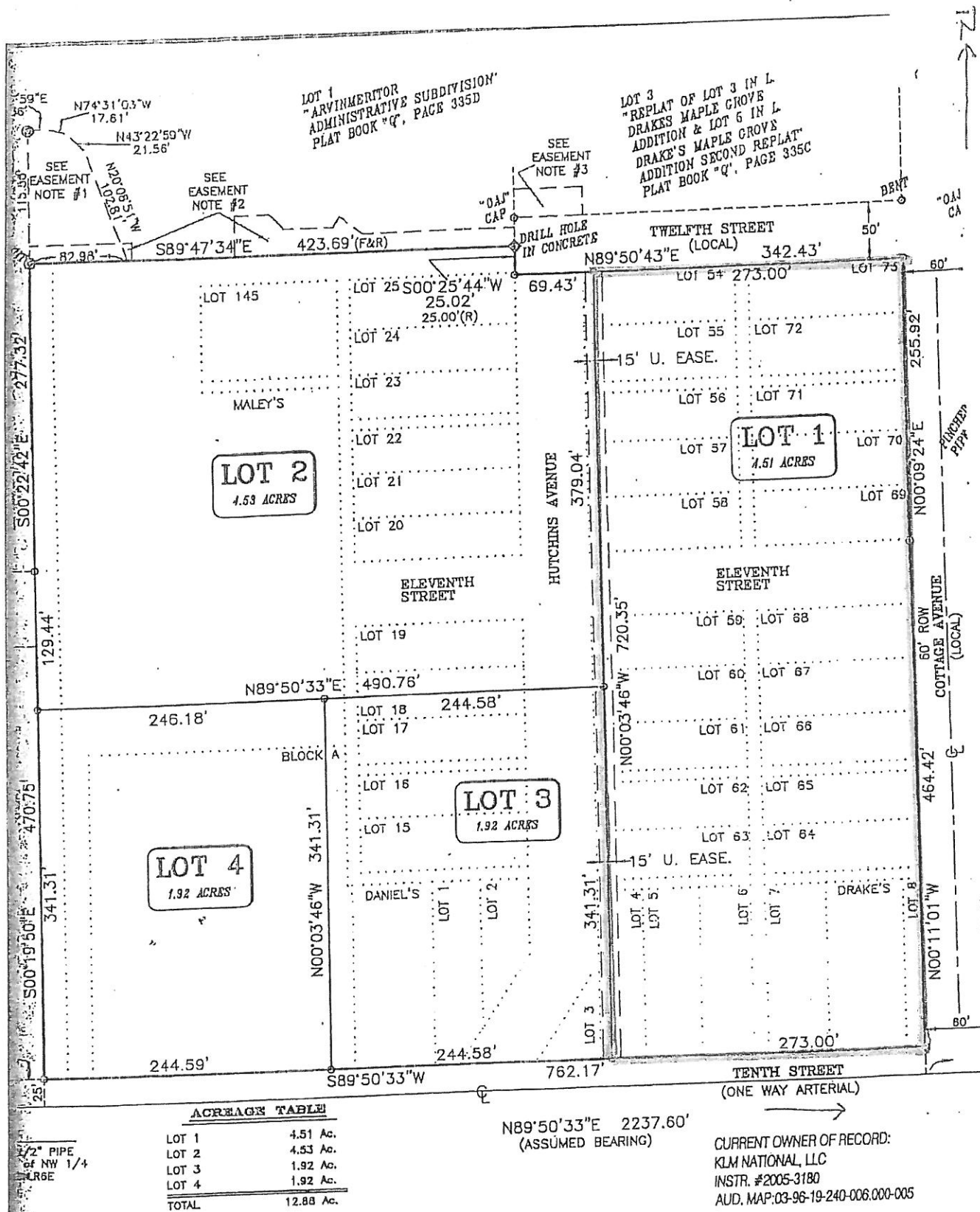
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION NINETEEN (19), TOWNSHIP NINE (9) NORTH, RANGE SIX (6) EAST, BARTHOLOMEW COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHEAST CORNER OF LOT NUMBERED 6 IN DRAKE'S MAPLE GROVE ADDITION THE CITY OF COLUMBUS, INDIANA, AS RECORDED IN PLAT BOOK "C", PAGE 9, SAID LOT CORNER BEING ON THE NORTH LINE OF TENTH STREET 25.00 FEET NORTH OF AND 515.00 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 6 EAST; THENCE NORTH 00°-00'-23" EAST 670.06 FEET ALONG THE WEST LINE OF AN EXISTING ALLEY TO THE NORTHEAST CORNER OF LOT NUMBERED FIFTY-FIVE (55) IN AFOREMENTIONED PLAT; THENCE NORTH 89°-58'-57" WEST 135.00 FEET TO THE NORTHWEST CORNER OF SAID LOT NUMBERED 55; THENCE NORTH 00°-00'-23" EAST 50.00 FEET TO THE NORTHEAST CORNER OF LOT NUMBERED FIFTY-FOUR (54); THENCE NORTH 89°-58'-57" WEST 60.00 FEET TO THE NORTHEAST CORNER OF LOT NUMBERED TWENTY-FIVE (25); THENCE NORTH 00°-00'-23" EAST 25.00 FEET TO A POINT IN THE CENTERLINE OF PREVIOUSLY DEDICATED BUT NOW VACATED TWELFTH STREET; THENCE NORTH 89°-58'-57" WEST 403.22 FEET ALONG SAID CENTERLINE EXTENDED TO THE POINT AT WHICH SAID CENTERLINE EXTENDED INTERSECTS THE EAST LINE OF AN EXISTING 20 FOOT RIGHT-OF-WAY OF THE C.C.C. & ST. L. RAILROAD; THENCE SOUTH 00°-16'-14" EAST 745.60 FEET ALONG SAID EAST LINE OF SA RIGHT-OF-WAY AND 10 FEET FROM CENTERLINE OF EXISTING TRACK TO THE POINT AT WHICH SAID EAST LINE OF RIGHT-OF-WAY INTERSECTS THE NORTH LINE OF TENTH STREET, WHICH IS 25 FEET NORTH OF AND 10 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19 NORTH, RANGE 6 EAST, SAID POINT BEING ALSO 20 FEET WEST OF THE SOUTHWEST CORNER OF BLOCK "A" IN AFOREMENTIONED PLAT; THENCE SOUTH 90°-00'-00" EAST 594.62 FEET ALONG THE NORTH LINE OF TENTH STREET TO THE POINT OF BEGINNING, CONTAINING 9.9 ACRES, MORE OR LESS AND INCLUDING THEREIN BUT NOT LIMITED TO, ALL LOTS NUMBERED 1 THROUGH 8, 15 THROUGH 25, 55 THROUGH 63, INCLUSIVE, LOT NUMBERED 145 AND BLOCK "A" IN AFOREMENTIONED ADDITION LABELLED HENRY WALEY, BEING SOUTH OF THE CENTERLINE OF TWELFTH STREET AND TWELFTH STREET EXTENDED AND THAT LAND SHOWN ON THE RECORD PLAT AND LABELLED J.W. DANIELS, LYING BETWEEN LOT NUMBERED 1 AND BLOCK "A" AND ALL THE STREETS AND ALLEYS NOW VACATED WITHIN THE AFOREMENTIONED PLAT LYING WITHIN THE LIMITS OF THIS DESCRIPTION.

### ALSO:

LOT NUMBERED FIFTY-FOUR (54) IN DRAKE'S MAPLE GROVE ADDITION TO THE CITY OF COLUMBUS, INDIANA, AS RECORDED IN PLAT BOOK "C", PAGE 9, IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA.

### ALSO:

THE RIGHT OF WAY AND EASEMENTS FOR A RAILROAD SWITCH FOR SWITCHING PURPOSES, OVER, UPON, AND THROUGH THE FOLLOWING DESCRIBED PARCELS OF REAL PROPERTY, TO-WIT:  
A. COMMENCING AT THE SOUTHWEST CORNER OF LOT NUMBERED 143 IN DRAKE'S MAPLE GROVE ADDITION TO THE CITY OF COLUMBUS, INDIANA; THENCE RUNNING NORTH ON THE WEST LINE OF SAID LOT NUMBERED 143 AND ON THE WEST LINE OF LOT NUMBERED 140 IN SAID ADDITION TO THE NORTHEAST CORNER OF LOT NUMBERED 144 IN SAID ADDITION; THENCE WEST 122 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY OF THE C.C.C. & ST. L. RAILWAY; THENCE SOUTH ON THE EAST LINE OF SAID RIGHT-OF-WAY TO A POINT DIRECTLY WEST OF THE SOUTHWEST CORNER OF SAID LOT NUMBERED 143; THENCE EAST 122 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.  
B. BEGINNING AT THE SOUTHEAST CORNER OF LOT NUMBERED 141 IN DRAKE'S MAPLE GROVE ADDITION TO THE CITY OF COLUMBUS, THENCE WEST ON THE SOUTH LINE OF LOTS 141, 142 AND 143 IN SAID ADDITION AND SAID LINE EXTENDED WESTWARD 248.1 FEET TO THE EAST LINE OF THE RIGHT-OF-WAY OF COLUMBUS, HOPE AND GREENSBURG RAILROAD COMPANY, (NOW C.C.C. & ST. L. RAILWAY CO., J.); THENCE SOUTH WITH THE EAST LINE OF SAID RIGHT-OF-WAY 25 FEET; THENCE EAST PARALLEL WITH THE COURSE FIRST ABOVE DESCRIBED 248.1 FEET; THENCE NORTH 25 FEET TO THE PLACE OF BEGINNING. THE EAST LINE OF WHICH RIGHT-OF-WAY AND EASEMENT ON THE NORTH BEGINS AT A POINT WHERE THE SOUTH LINE OF THIRTEENTH STREET, IN THE CITY OF COLUMBUS, INDIANA, INTERSECTS THE EAST LINE OF THE RIGHT-OF-WAY OF THE C.C.C. & ST. L. RAILWAY COMPANY AND THE WEST LINE OF WHICH ON THE NORTH BEGINS AT A POINT 61 FEET AND 8 INCHES SOUTH OF THE SOUTH LINE OF SAID THIRTEENTH STREET ON THE EAST LINE OF SAID RIGHT-OF-WAY THENCE AT A WIDTH OF 12 FEET SAID RIGHT-OF-WAY AND EASEMENT EXTENDS SOUTHEASTERLY TO THE NORTH LINE OF SAID TWELFTH STREET, TO A POINT ON SAID NORTH LINE ABOUT 60 FEET FROM THE EAST LINE OF SAID RAILWAY RIGHT-OF-WAY; THE RIGHT-OF-WAY GRANTED IS NOW OCCUPIED BY THE EXISTING RAILWAY SWITCH ON AND OVER SAID TRACK AND PARCEL OF GROUND.





# STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R3 / 12-11)

Prescribed by the Department of Local Government Finance

20\_\_ PAY 20\_\_

FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)  
☐ Eligible vacant building (IC 6-1.1-12.1-4.8)

## INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, **BEFORE** a deduction may be approved.
- To obtain a deduction, application Form 322 ERA/VRE or Form 322 ERA/VBD, Whichever is applicable, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor, if any, or the county assessor.
- Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. [IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(j)]
- The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17). The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

SECTION 1		TAXPAYER INFORMATION			
Name of taxpayer Gateway Apartments L.P.					
Address of taxpayer (number and street, city, state, and ZIP code) 1531 13th Street, Suite G900 Columbus, IN 47201-1302					
Name of contact person Mark Lindenlaub		Telephone number (812) 372-6918		E-mail address MLindenlaub@thrive-allianc	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body Columbus City Council		Resolution number			
Location of property 1616 10th Street		County Bartholomew		DLGF taxing district number	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Construction of a 60 unit multifamily proeject with a Clubhouse building.				Estimated start date (month, day, year) 10/01/2014	
				Estimated completion date (month, day, year) 10/01/2015	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number 0.00	Salaries \$0.00	Number retained 0.00	Salaries \$0.00	Number additional 3.00	Salaries \$
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
		Current values			
		Plus estimated values of proposed project			
		Less values of any property being replaced			
Net estimated values upon completion of project					
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) _____		Estimated hazardous waste converted (pounds) _____			
Other benefits The Gateway Apartments development will generate approximately one hundred twenty-five construction related jobs.					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <i>Timothy M. Morgan</i>		Title Developer		Date signed (month, day, year) 03/10/2014	

**FOR USE OF THE DESIGNATING BODY**

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 10 calendar years \* (see below). The date this designation expires is \_\_\_\_\_.
- B. The type of deduction that is allowed in the designated area is limited to:
- |  |                              |                             |
|--|------------------------------|-----------------------------|
| 1. Redevelopment or rehabilitation of real estate improvements | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Residentially distressed areas                              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Occupancy of a vacant building                              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
- C. The amount of the deduction applicable is limited to \$ \_\_\_\_\_.
- D. Other limitations or conditions (specify) \_\_\_\_\_
- E. The deduction is allowed for \_\_\_\_\_ years\* (see below).
- F. Did the designating body adopt an alternative deduction schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No  
If yes, attach a copy of the alternative deduction schedule to this form.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number (      )	Date signed (month, day, year)
Attested by (signature and title of attester)	Designated body	

\* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.12-12.1-4.

- A. For residentially distressed areas, the deduction period may not exceed five (5) years.
- B. For redevelopment and rehabilitation or real estate improvements:
1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years.
  2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years.
- C. For vacant buildings, the deduction period may not exceed two (2) years.

# Memorandum

**To:** Members of the Columbus Common Council and the Incentive Review Committee  
**CC:** Mayor Kristen S. Brown  
**From:** Carl E. Malysz, Community Development Director  
**Date:** 3/12/2014  
**Re:** Gateway Apartments: Tax Abatement Request

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I am writing this memo to explain the background of the Gateway Apartment development and its related request for property tax abatement that was submitted to our office for the March 18, 2014 meeting of the Columbus Common Council, to-wit:

Gateway Apartments is being developed by a collaboration among three separate entities: private sector developer, Jonesboro Investments Corp. of Chagrin Falls, Ohio whose President is Tim Morgan; Housing Partnerships, Inc., d/b/a Thrive Alliance, Mark Lindenlaub, Executive Director; and Gateway Apartments L.P., a legal entity created to own and manage the Gateway Apartments during the fifteen-year compliance period related to the award of Rental Housing Tax Credits (RHTC).

99% of Gateway Apartments L.P. will be owned by a corporate passive investor who will purchase the RHTCs to fund the development. The remaining 1% will be owned by Thrive Alliance and Jonesboro Investment Corp. Thrive Alliance and Jonesboro Investments Corp. will be the co- General Partners of Gateway Apartments L.P. and be responsible for management, leasing, maintenance and regulatory compliance. Jonesboro Investments is the project developer.

The subject property is a 4.51 acre tract located on the eastern most portion of the Golden Casting Foundry site; it measures approximately 465' deep and is 273 feet wide. The parcel is bounded by Twelfth street on the north; Cottage Avenue on the east; and Tenth Street on the south. The property is zoned appropriately for multi-family residential.

Golden Casting Foundry ceased operations in 2003. Shortly thereafter, KLM National, LLC, purchased the site and began a decade's long process of clearing the site and salvaging materials. Although much progress has been made over the years to remove many of the buildings and much debris, the Golden Casting Foundry site remains an

active brownfield that is in need of final clearance, environmental remediation and redevelopment. The proposed Gateway Apartments is a redevelopment project that could start the redevelopment process.

Jonesboro Investments Corp. has an excellent track record in developing/redeveloping and managing properties for affordable rental housing through the RHTC Program in Florida, Indiana, Kentucky, Michigan and Ohio. On two prior occasions, in 2011 and 2012, Jonesboro Investments applied for RHTCs through the Indiana Housing and Community Development Authority (IHCDA). But in both those prior instances, it was not awarded an RHTC allocation.

In 2013 Jonesboro Investments Corp. enlisted a non-profit partner, Thrive Alliance; reworked and fortified its application in consultation with the City of Columbus; and resubmitted its RHTC application to IHCDA on November 1, 2013. On February 27, 2014, the IHCDA Board of Directors approved and announced an award of RHTCs for Gateway Apartments.

The Rental Housing Tax Credit (RHTC) Program is a means to raise private equity to fund the development of affordable rental housing units that will be rented to households at or below 60% of area median income (AMI) scaled to household size. The RHTC Program is highly regulated by the Internal Revenue Service and U.S. Tax Code, and it is administered at the State level in Indiana by the Indiana Housing and Community Development Authority (IHCDA).

The RHTC Program is also highly competitive statewide and across the nation. The 2013 RHTC competition in Indiana, alone, speaks to this point: 45 applications were received representing requests that outstripped available tax credits by 3 to 1. The 2013 Gateway Apartments application scored the highest in the state; in all only fifteen proposals were allocated tax credits on February 27, 2014.

Affordable rental housing developers utilize RHTCs to raise equity to fund eligible project costs. This is accomplished by selling the tax credits to an investor limited partner. For any project costs that are not covered by the equity raised, the developer must incur private debt financing which must be paid by net operating revenues.

In the case of the Gateway Apartments proposal, the initial tax credit reservation request was \$971,161 per year for ten years. However, due to a change in the tax credit regulations that went into effect on January 1, 2014, which was midway in the application ranking process, the revised reservation amount awarded to Gateway Apartments was 907,137.00 per year for ten years.

The revised reservation resulted from a change in the fixed tax credit rate of 9.0% to a floating rate of 7.6%. (The fixed 9.0% rate was put into effect in 2008 by the U.S. Congress. But it failed to extend the fixed rate before the end of 2013. So now the floating market rate applies.)

The consequences of changing the tax credit rate from 9.0% to 7.6% directly affect the amount of private equity that can be generated by the sale of the credits, as follows:

	<u>Reservation Amount</u>	<u>Equity Rate</u>	<u>Equity Raised</u>
Initial Request:	\$971,161.00	.9355	\$9,084,405.00
Revised Request:	\$907,137.00	.9355	\$8,485,520.00
Equity Gap:			\$598,885.00

The original equity gap anticipated by Jonesboro Investments Corp. was approximately \$205,000. So the change in the fixed tax credit rate to the floating tax credit rate has created an additional equity gap for the Gateway Apartments proposal. The total equity gap now stands at approximately \$800,000 (\$205,000 + \$598,885).

A property tax abatement resolution was originally approved by the Columbus Common Council via Resolution No. 14, 2011. That resolution authorized property tax abatement for any increase in assessed value for a ten (10) year period on real property improvements according to the standard sliding scale permitted at that time—100%, 95%, 80%, 65%, 50%, 40%, 30%, 20%, 10% and 5%. Had the tax credit rate not changed from the 9.0% fixed rate to the 7.6% floating rate, the tax abatement originally approved in 2011 would have been sufficient to fund gap financing with private debt.

Recent (2013) amendments to the Indiana Code enable the Columbus Common Council to create custom deduction percentages for each year of a ten-year property tax abatement (Indiana Code, I.C. 6-1.1-12.1-17). An additional reduction in property taxes will enable Gateway Apartments L.P. to realize additional net operating revenues. These additional net operating revenues will enable Gateway Apartments L.P. to incur more private sector debt.

My recommendations regarding the Tax Abatement being sought by Gateway Apartments L.P. are as follows:

1. The Columbus Common Council should confirm a ten-year property tax abatement period but with an expressed and fixed 86% deduction for each year of the of the ten-year property tax abatement period.
2. The 86% annual tax abatement will enable the developer to pay no more than \$25,000 per year in property taxes. This will enable the Gateway Apartments L.P. to secure the additional private sector debt to fill the equity gap as noted above.

The rationale for a ten-year, 86% property tax abatement includes the following statements of fact that can be articulated in the Resolution approving this tax abatement:

1. The subject property is located on a known Brownfield that has been a blighting influence in the Lincoln Central Neighborhood for several decades. The current property tax bill for the site is approximately \$2,900 per year. Eventually, as the proposed property tax abatement expires, the annual property tax bill will be significantly higher.
2. The developer has incurred preliminary expenses for the required environmental studies (Phase I and Phase II) and preparation of a Corrective Action Plan (CAP) for remediation that has received preliminary approval by the Indiana Department of Environmental Management (IDEM).
3. The estimated cost of site remediation is approximately \$750,000; these funds have been included in the Gateway Apartments project budget and are exceptional compared to developing a “greenfield” site free of environmental issues.
4. The larger than anticipated funding gap for Gateway Apartments has materialized and it is beyond the direct control of the developer.
5. The housing being developed—sixty two- and three-bedroom townhouse units—will be available for lower-income households with children at incomes at or below 60% of area median income.
6. Any qualified household leasing these units will be required to pay no more than 30% of the tenant’s monthly income for rent and other related housing expenses. Also, the rents that will be charged are restricted and well-below market rate for comparable units. So it is not possible for the developer to offset equity gap debt financing expenses by increasing rents.

Finally, the Common Council of the City of Columbus and the Incentive Review Committee should also note that Gateway Apartments is poised to be the catalyst that will result in the eventual redevelopment of the entire Golden Casting Foundry site.

(A second development interest, wdg Construction, Inc. and an affiliate, has plans to redevelop another 4.53 acre parcel in the western most corner of the Golden Casting Foundry site as an assisted living/memory care facility with 80 beds. The City staff is currently engaged in facilitating that redevelopment project, as well.)

Attached are spreadsheets that compare the standard form ten-year tax abatement and the proposed 86% fixed rate ten-year tax abatement. But for the approval of the requested and recommended property tax abatement that will fill the documented private equity gap, the funding plan for Gateway Apartments will not come to fruition and the tax credits will be returned to IHCD.

subsection (b)(1) in the manner described in subsection (b)(2).

(d) If:

- (1) the remainder determined under subsection (b)(2)(A); or
- (2) the combined amount of deduction corrections under subsection (c)(1);

exceeds the assessed value referred to in subsection (b)(2)(B), the county auditor shall carry the excess over as assessed value deductions for the immediately succeeding assessment date or dates.

(e) With respect to a deduction based on an increase in the assessed value of personal property, the county auditor shall apply deduction corrections in the manner provided in subsections (a) through (d), except that the assessed value and deduction determinations apply to the taxpayer's personal property return.

(f) A taxpayer is not required to file an application for a deduction under this section.

*As added by P.L.219-2007, SEC.33.*

#### **IC 6-1.1-12.1-16**

##### **Repealed**

*(Repealed by P.L.288-2013, SEC.19.)*

#### **IC 6-1.1-12.1-17**

##### **Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

*As added by P.L.173-2011, SEC.9. Amended by P.L.288-2013, SEC.20.*

# Memorandum

**To:** Members of the Columbus Common Council and the Incentive Review Committee

**CC:** Mayor Kristen S. Brown

**From:** Carl E. Malysz, Community Development Director

**Date:** 3/12/2014

**Re:** Gateway Apartments: Tax Abatement Request

---

I am writing this memo to explain the background of the Gateway Apartment development and its related request for property tax abatement that was submitted to our office for the March 18, 2014 meeting of the Columbus Common Council, to-wit:

Gateway Apartments is being developed by a collaboration among three separate entities: private sector developer, Jonesboro Investments Corp. of Chagrin Falls, Ohio whose President is Tim Morgan; Housing Partnerships, Inc., d/b/a Thrive Alliance, Mark Lindenlaub, Executive Director; and Gateway Apartments L.P., a legal entity created to own and manage the Gateway Apartments during the fifteen-year compliance period related to the award of Rental Housing Tax Credits (RHTC).

99% of Gateway Apartments L.P. will be owned by a corporate passive investor who will purchase the RHTCs to fund the development. The remaining 1% will be owned by Thrive Alliance and Jonesboro Investment Corp. Thrive Alliance and Jonesboro Investments Corp. will be the co- General Partners of Gateway Apartments L.P. and be responsible for management, leasing, maintenance and regulatory compliance. Jonesboro Investments is the project developer.

The subject property is a 4.51 acre tract located on the eastern most portion of the Golden Casting Foundry site; it measures approximately 465' deep and is 273 feet wide. The parcel is bounded by Twelfth street on the north; Cottage Avenue on the east; and Tenth Street on the south. The property is zoned appropriately for multi-family residential.

Golden Casting Foundry ceased operations in 2003. Shortly thereafter, KLM National, LLC, purchased the site and began a decade's long process of clearing the site and salvaging materials. Although much progress has been made over the years to remove many of the buildings and much debris, the Golden Casting Foundry site remains an

active brownfield that is in need of final clearance, environmental remediation and redevelopment. The proposed Gateway Apartments is a redevelopment project that could start the redevelopment process.

Jonesboro Investments Corp. has an excellent track record in developing/redeveloping and managing properties for affordable rental housing through the RHTC Program in Florida, Indiana, Kentucky, Michigan and Ohio. On two prior occasions, in 2011 and 2012, Jonesboro Investments applied for RHTCs through the Indiana Housing and Community Development Authority (IHCDA). But in both those prior instances, it was not awarded an RHTC allocation.

In 2013 Jonesboro Investments Corp. enlisted a non-profit partner, Thrive Alliance; reworked and fortified its application in consultation with the City of Columbus; and resubmitted its RHTC application to IHCDA on November 1, 2013. On February 27, 2014, the IHCDA Board of Directors approved and announced an award of RHTCs for Gateway Apartments.

The Rental Housing Tax Credit (RHTC) Program is a means to raise private equity to fund the development of affordable rental housing units that will be rented to households at or below 60% of area median income (AMI) scaled to household size. The RHTC Program is highly regulated by the Internal Revenue Service and U.S. Tax Code, and it is administered at the State level in Indiana by the Indiana Housing and Community Development Authority (IHCDA).

The RHTC Program is also highly competitive statewide and across the nation. The 2013 RHTC competition in Indiana, alone, speaks to this point: 45 applications were received representing requests that outstripped available tax credits by 3 to 1. The 2013 Gateway Apartments application scored the highest in the state; in all only fifteen proposals were allocated tax credits on February 27, 2014.

Affordable rental housing developers utilize RHTCs to raise equity to fund eligible project costs. This is accomplished by selling the tax credits to an investor limited partner. For any project costs that are not covered by the equity raised, the developer must incur private debt financing which must be paid by net operating revenues.

In the case of the Gateway Apartments proposal, the initial tax credit reservation request was \$971,161 per year for ten years. However, due to a change in the tax credit regulations that went into effect on January 1, 2014, which was midway in the application ranking process, the revised reservation amount awarded to Gateway Apartments was 907,137.00 per year for ten years.

The revised reservation resulted from a change in the fixed tax credit rate of 9.0% to a floating rate of 7.6%. (The fixed 9.0% rate was put into effect in 2008 by the U.S. Congress. But it failed to extend the fixed rate before the end of 2013. So now the floating market rate applies.)

The consequences of changing the tax credit rate from 9.0% to 7.6% directly affect the amount of private equity that can be generated by the sale of the credits, as follows:

	<u>Reservation Amount</u>	<u>Equity Rate</u>	<u>Equity Raised</u>
Initial Request:	\$	.9355	\$
Revised Request:	\$	.9355	\$
Equity Gap:			\$

The original equity gap anticipated by Jonesboro Investments Corp. was approximately \$. So the change in the fixed tax credit rate to the floating tax credit rate has created an additional equity gap for the Gateway Apartments proposal. The total equity gap now stands at approximately \$ ( \$ + \$ ).

A property tax abatement resolution was originally approved by the Columbus Common Council via Resolution No. 14, 2011. That resolution authorized property tax abatement for any increase in assessed value for a ten (10) year period on real property improvements according to the standard sliding scale permitted at that time—100%, 95%, 80%, 65%, 50%, 40%, 30%, 20%, 10% and 5%. Had the tax credit rate not changed from the 9.0% fixed rate to the 7.6% floating rate, the tax abatement originally approved in 2011 would have been sufficient to fund gap financing with private debt.

Recent (2013) amendments to the Indiana Code enable the Columbus Common Council to create custom deduction percentages for each year of a ten-year property tax abatement (Indiana Code, I.C. 6-1.1-12.1-17). An additional reduction in property taxes will enable Gateway Apartments L.P. to realize additional net operating revenues. These additional net operating revenues will enable Gateway Apartments L.P. to incur more private sector debt.

My recommendations regarding the Tax Abatement being sought by Gateway Apartments L.P. are as follows:

1. The Columbus Common Council should confirm a ten-year property tax abatement period but with an expressed and fixed 86% deduction for each year of the of the ten-year property tax abatement period.
2. The 86% annual tax abatement will enable the developer to pay no more than \$ per year in property taxes. This will enable the Gateway Apartments L.P. to secure the additional private sector debt to fill the equity gap as noted above.

The rationale for a ten-year, 86% property tax abatement includes the following statements of fact that can be articulated in the Resolution approving this tax abatement:

1. The subject property is located on a known Brownfield that has been a blighting influence in the Lincoln Central Neighborhood for several decades. The current property tax bill for the site is approximately \$2,900 per year. Eventually, as the proposed property tax abatement expires, the annual property tax bill will be significantly higher.
2. The developer has incurred preliminary expenses for the required environmental studies (Phase I and Phase II) and preparation of a Corrective Action Plan (CAP) for remediation that has received preliminary approval by the Indiana Department of Environmental Management (IDEM).
3. The estimated cost of site remediation is approximately \$750,000; these funds have been included in the Gateway Apartments project budget and are exceptional compared to developing a “greenfield” site free of environmental issues.
4. The larger than anticipated funding gap for Gateway Apartments has materialized and it is beyond the direct control of the developer.
5. The housing being developed—sixty two- and three-bedroom townhouse units—will be available for lower-income households with children at incomes at or below 60% of area median income.
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*As added by P.L.173-2011, SEC.9. Amended by P.L.288-2013, SEC.20.*

**Property Tax Estimates - Building - Standard 10 Year Abatement - March 11, 2014**  
**Gateway Apartments L.P.**

**Building Improvements\***                      \$

**COLUMBUS CITY**

PROPERTY TAX RATE (2014)            2.5626%  
 REPLACEMENT CREDIT                0.0000%  
 NET TAX RATE                            2.56260%

	<b>Year 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>
Increase in Assessed Value **	\$	\$	\$	\$
Taxes W/O Abatement	\$	\$	\$	\$
Abatement Percent	100.00%	95.00%	80.00%	65.00%
Abated Taxes Paid	\$0	\$	\$	\$

	<b>YEAR 5</b>	<b>YEAR 6</b>	<b>YEAR 7</b>	<b>YEAR 8</b>
Increase in Assessed Value **	\$	\$	\$	\$
Taxes W/O Abatement	\$	\$	\$	\$
Abatement Percent	50.00%	40.00%	30.00%	20.00%
Abated Taxes Paid	\$	\$	\$	\$

	<b>YEAR 9</b>	<b>YEAR 10</b>
Increase in Assessed Value **	\$	\$
Taxes W/O Abatement	\$	\$
Abatement Percent	10.00%	5.00%
Abated Taxes Paid	\$	\$

10 Year Unabated Taxes                \$

10 Year Abated Taxes Paid            \$

<b>10 Yr Amount Saved/Abated</b>	<b>\$</b>
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\* Based on Total Construction Cost from Sources and Uses of Funds, Gateway Apartments, 23-Sept-13.

\*\* Assumes Increase in Assessed Value is approximately 90% of estimated cost of real property improvements.

**Property Tax Estimates - Building - Customized 10 Year Abatement - March 11, 2014**  
**Gateway Apartments L.P.**

Building Improvements\* \$

**COLUMBUS CITY**

PROPERTY TAX RATE (2014) 2.5626%  
 REPLACEMENT CREDIT 0.0000%  
 NET TAX RATE 2.56260%

	Year 1	YEAR 2	YEAR 3	YEAR 4
Net Assessed Value **	\$	\$	\$	\$
Taxes W/O Abatement	\$	\$	\$	\$
Abatement Percent	86.00%	86.00%	86.00%	86.00%
Abated Taxes Paid	\$	\$	\$	\$
	YEAR 5	YEAR 6	YEAR 7	YEAR 8
Assessed Value **	\$	\$	\$	\$
Taxes W/O Abatement	\$	\$	\$	\$
Abatement Percent	86.00%	86.00%	86.00%	86.00%
Abated Taxes Paid	\$	\$	\$	\$
	YEAR 9	YEAR 10		
Assessed Value **	\$	\$		
Taxes W/O Abatement	\$	\$		
Abatement Percent	86.00%	86.00%		
Abated Taxes Paid	\$	\$		
10 Year Unabated Taxes	\$			
10 Year Abated Taxes Paid	\$			

<b>10 Yr Amount Saved/Abated</b>	<b>\$</b>
----------------------------------	-----------

\* Based on Total Construction Cost from Sources and Uses of Funds, Gateway Apartments, 23-Sept-13.

\*\* Assumes Increase in Assessed Value is approximately 90% of estimated cost of real property improvements.

RESOLUTION NO. \_\_\_\_, 2014

RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT  
IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA  
PURSUANT TO INDIANA CODE 6-1.1-12.1, *ET. SEQ.*  
AND AUTHORIZING THE MAYOR TO EXECUTE  
THE STATEMENT OF BENEFITS FORM

Gateway Apartments, L.P.

**WHEREAS**, INDIANA CODE 6-1.1-12.1 allows for a partial abatement of property taxes attributable to the rehabilitation/redevelopment of real property in an Economic Revitalization Area (ERA); and

**WHEREAS**, the Common Council of the City of Columbus, Indiana, has designated certain real estate within the City of Columbus, Indiana as an Economic Revitalization Area (ERA) as contemplated and defined pursuant to INDIANA CODE 6-1.1-12.1-1, *et. seq.*, by the adoption of Resolution 12-1984 by the Common Council on December 18, 1984 and as amended by Resolutions 20-1985, 3-1988 and 48-1988, all which remain in full force and effect; and

**WHEREAS**, INDIANA CODE 6-1.1-12.1, *et seq.* provides that the Common Council of the City of Columbus, Indiana, approve a Statement of Benefits form associated with an application requesting a tax abatement for real property in an area previously designated as an ERA; and

**WHEREAS**, Gateway Apartments, L.P. ("Gateway") filed an Application, Agreement of Cooperation, and a Statement of Benefits form dated February 1, 2013, requesting the approval of a ten (10) year real property tax deduction pursuant to INDIANA CODE 6-1.1-12.1 *et. seq.*, for the purpose of improving real estate within an established ERA located at 1616 10<sup>th</sup> Street, Columbus, Indiana (said Statement of Benefits form is attached hereto and incorporated herein as **Exhibit A**); and

**WHEREAS**, pursuant to INDIANA CODE 6-1.1-12.1- 3(c), a deduction allowed for improvement to real estate:

1. Shall be for a period of not more than five (5) years if the area is a residentially distressed area; or
2. Shall be either three (3), six (6), or ten (10) years in an economic revitalization area designated before July 1, 2000; or
3. Shall be for a period not to exceed ten (10) years in an economic revitalization area designated after June 30, 2000; and

**WHEREAS**, the Common Council of the City of Columbus, Indiana, deems it to be in the best interest of the City of Columbus, Indiana, in order to stimulate economic development and provide for additional or retained jobs, that such real property tax abatement be granted.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Columbus, Indiana, after reviewing the Statement of Benefit forms submitted by **Gateway** and after hearing the recommendation of the Incentive Review Committee, that:

1. The application of **Gateway** meets the requirements for filing of a tax abatement.
2. The Common Council makes the following findings:
  - a. The estimated value of the proposed redevelopment or rehabilitation to the real estate is reasonable for projects of that nature; and
  - b. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
  - c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
  - d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
  - e. The totality of benefits is sufficient to justify the deduction.
3. **Gateway's** project represents a major capital investment into the improvement of real estate and compliments the initiatives of the City of Columbus for economic development.
4. The deduction allowed for real property pursuant to INDIANA CODE 6-1.1-12.1- 3 and 4 and 17, *et. seq.* shall be allowed for   10   years with an 86% abatement for each year;
5. The Mayor of the City of Columbus, Indiana, is hereby authorized by the Common Council of the City of Columbus, Indiana, to execute the Statement of Benefits forms attached hereto as **Exhibit A** for purposes of facilitating the real property tax abatement of **Gateway**.

**ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA**, on this \_\_\_\_ day of March 2014, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer of the

Common Council

**ATTEST:**

\_\_\_\_\_  
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this \_\_\_\_ day  
of March 2014 at \_\_\_\_ o'clock \_\_\_\_ .M.

\_\_\_\_\_  
Clerk-Treasurer

Approved and signed by me this \_\_\_\_ day of March 2014, at  
\_\_\_\_ o'clock \_\_\_\_ .M.

\_\_\_\_\_  
Mayor of the City of  
Columbus, Indiana



**MEMORANDUM**

**TO:** Columbus City Council Members  
**FROM:** Jeff Bergman  
**DATE:** March 11, 2014  
**RE:** VAC-14-01 Jackson/Brown Streets Alley Vacation

Attached is an ordinance vacating the east-west alley that runs between Jackson and Brown Streets in the block north of 8<sup>th</sup> Street in downtown Columbus. Cummins has requested this alley vacation and company representatives have indicated that this is a part of their effort to acquire and consolidate several properties at this location as the future site of a company health clinic. Cummins either currently owns or is in the process of acquiring all of the properties that adjoin this alley. All owners of adjacent property at the time the alley vacation was filed with the Planning Department have signed the alley vacation request.

This proposed alley vacation was reviewed by the Columbus Subdivision Review Committee on February 20, 2014. Please recall that the Committee includes the staff of the Planning and Engineering Departments, as well as representatives from the Police, Fire, and other City departments and the local utilities. Cummins has previously been working with the local utility providers to re-locate their facilities that currently run through the alley. The Committee's only request was for any utilities that remain in the alley at the time the vacation ordinance is approved to be protected with an easement. The Planning Department will coordinate the ongoing utilities discussion as part of our review of the subdivision plat assigning the former alley to adjoining properties that must be provided prior to the City's Council's 2<sup>nd</sup> Reading and final approval of the vacation.

Attached to this memorandum for your reference are (1) an ordinance vacating the alley, (2) a location map provided by the Planning Department, and (3) an exhibit provided by the applicant.

Please feel free to contact me with any questions you may have.

ORDINANCE NO.: \_\_\_\_\_, 2014

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY**

**To be known as the: Jackson/Brown Streets Alley Vacation  
Plan Commission Case No.: VAC-14-01**

**WHEREAS**, the Common Council of the City of Columbus, Indiana, has received a petition to vacate existing right-of-way in the City of Columbus, Indiana, pursuant to IC 36-7-3-12, and;

**WHEREAS**, the Common Council has held a public hearing on said petition as required by IC 36-7-3-12, and has found that the requested vacation should be granted.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Right-of-way Vacated**

The following described right-of-way shall be vacated:

*The 10 foot east-west alley running east-west between Jackson Street and Brown Street per Deed Book 18, Page 458-459, described as follows:*

*Beginning at the southwest corner of Lot 1A in "Replat of Jackson Street Office Park Minor Plat – Lot 1" (P.B. "R", Pg. 185D) and on the east right-of-way line of Brown Street; thence North 89°14'44" East along the south line of said Lot 1A and subsequently along the south line of "City of Columbus, Indiana" (Inst. #2000-10391) a distance of 308.66 feet to the southeast corner of "City of Columbus, Indiana" and the west right-of-way line of Jackson Street; thence South 02°21'42" East along said right-of-way line and subsequently along the east line of "Cummins, Inc." (Inst. #2013-8128) a distance of 10 feet; thence South 89°14'44" West a distance of 308.75 feet to the east right-of-way line of Brown Street and the west line of "Cummins, Inc."; thence North 01°50'47" West along said right-of-way line and west line of Cummins, Inc." a distance of 10 feet to the point of beginning, containing 0.07 acres (3,087 sq. ft.) more or less, subject to all legal easements and rights of way.*

**SECTION 2: Effective Date**

This ordinance shall take effect upon the recording of documents required by the City of Columbus Subdivision Control Ordinance (a plat providing for the allocation of the vacated right-of-way among adjoining properties).

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

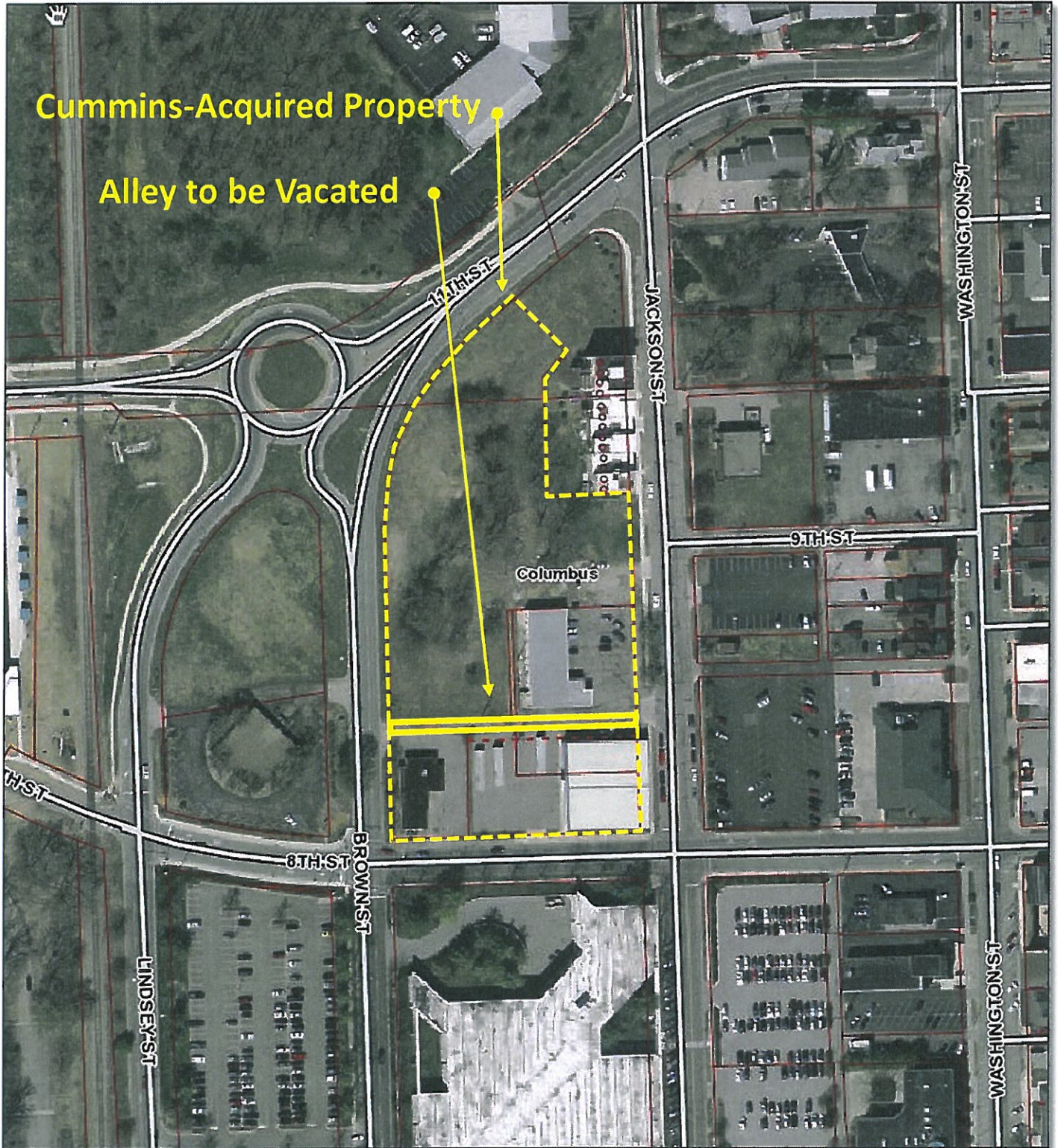
\_\_\_\_\_  
Presiding Officer

**ATTEST:**

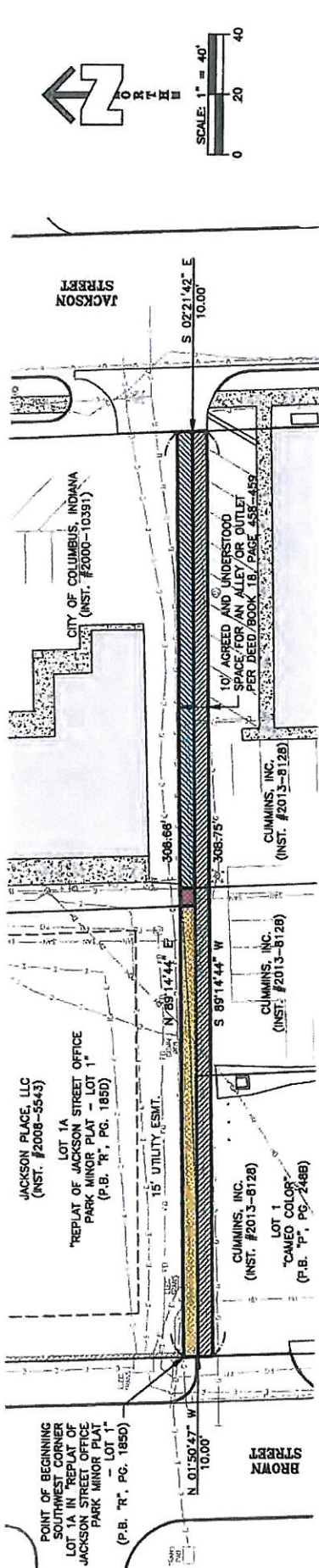
\_\_\_\_\_  
Luann Welmer  
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at  
\_\_\_\_\_ o'clock \_\_\_\_\_.m.

\_\_\_\_\_  
Kristen S. Brown  
Mayor of the City of Columbus, Indiana



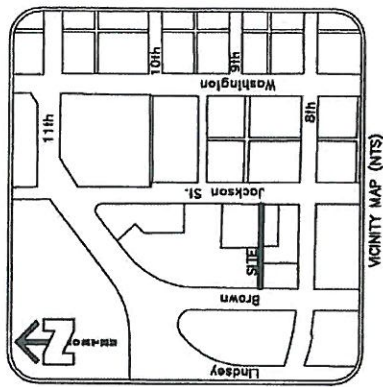
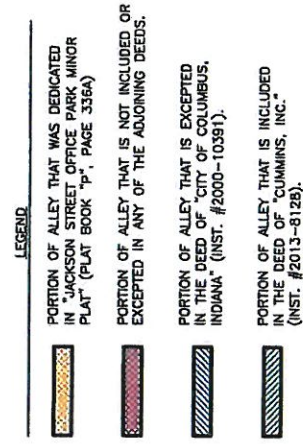
## VAC-14-01: Jackson/Brown Streets Alley Vacation



**ALLEY VACATION DESCRIPTION**

THE 10 FOOT EAST-WEST ALLEY BETWEEN JACKSON STREET AND BROWN STREET PER DEED BOOK 18, PAGE 438-459, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1A IN "REPLAT OF JACKSON STREET OFFICE PARK MINOR PLAT - LOT 1" (P.B. "R", PG. 1850) AND ON THE EAST RIGHT-OF-WAY LINE OF JACKSON STREET, THENCE NORTH 89°14'44" EAST ALONG THE SOUTH LINE OF SAID LOT 1A AND SUBSEQUENTLY ALONG THE SOUTH LINE OF "CITY OF COLUMBUS, INDIANA" (INST. #2000-10391) A DISTANCE OF 308.68 FEET TO THE SOUTHEAST CORNER OF "CITY OF COLUMBUS, INDIANA" AND THE EAST ALONG SAID SOUTH LINE OF JACKSON STREET, THENCE SOUTH 89°14'44" EAST ALONG THE EAST LINE OF "CUMMINS, INC." (INST. #2013-8128) A DISTANCE OF 10.00 FEET; THENCE SOUTH 89°14'44" WEST A DISTANCE OF 308.75 FEET TO THE WEST RIGHT-OF-WAY LINE OF BROWN STREET AND THE WEST LINE OF "CUMMINS, INC."; THENCE NORTH 01°50'47" WEST ALONG SAID RIGHT-OF-WAY LINE AND WEST LINE OF "CUMMINS, INC." A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES (3,087 SQ. FT.) MORE OR LESS, SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAYS.



**CUMMINS ENGINE CO., INC.**  
-JACKSON ST. & BROWN ST.-

**ALLEY VACATE EXHIBIT**

**CITY OF COLUMBUS**  
BARTHOLOMEW COUNTY, IND.

**Independent Land Surveying**  
www.isurveying.com  
414 South Main Street  
Bloomington, Indiana 47220  
Phone: 812-358-2882  
Fax: 812-358-2805  
3840 Commerce Drive  
Columbus, Indiana 47201  
Phone: 812-377-0886  
Fax: 812-377-0886

SHEET: 1 OF 1	DWG NUMBER: 13130
SCALE: 1" = 40'	DWG REVISION DATES
DRAWN BY: B. STRICKER	
DWG DATE: 12/14/13	
DWG NAME: 13130 ALLEY VACATE EXHIBIT.dwg	